

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

TiVo Inc., a Delaware corporation,
Plaintiff,

v.

1. Dish Network Corporation, a Nevada corporation; 2. EchoStar DBS Corporation, a Colorado corporation; 3. EchoStar Technologies Corporation., a Texas corporation; 4. Echosphere L.L.C., a Colorado limited liability company; 5. EchoStar Satellite L.L.C., a Colorado limited liability company; and 6. EchoStar Corporation, a Nevada corporation.

Defendants.

No. 2-04cv01 DF
(Judge Folsom)

**JOINT STIPULATION REGARDING
ATTORNEY'S FEES AND COSTS**

Plaintiff TiVo Inc. ("TiVo") and defendants Dish Network Corporation; EchoStar DBS Corporation; EchoStar Technologies Corporation; Echosphere L.L.C.; EchoStar Satellite L.L.C.; and EchoStar Corporation (collectively "EchoStar") by and through their counsel of record, stipulate as follows:

WHEREAS the Court stated in the order of September 4, 2009, that "[i]f the parties cannot agree on the amount incurred by TiVo, then TiVo may request that the Court resolve this dispute. Any such request should be made by motion within fourteen (14) days of this Order" (Dkt. No. 988);

WHEREAS the Court entered an order on September 15, 2009, extending the deadline for TiVo to file a request to and including October 2, 2009;

WHEREAS the parties are meeting and conferring regarding the issue of attorney's fees and costs;

WHEREAS having additional time for the parties to meet and confer may further interests of the parties and serve the interests of judicial efficiency and economy;

NOW THEREFORE, the parties stipulate and agree to extend the deadline for TiVo to file a request with the Court to and including October 23, 2009.

Dated: September 29, 2009

By: /s/ Christine Byrd
Christine Byrd

IRELL & MANELLA LLP
Morgan Chu (Pro Hac Vice)
Christine Byrd (Pro Hac Vice)
Andrei Iancu (Pro Hac Vice)
Perry Goldberg (Pro Hac Vice)
1800 Avenue of the Stars, Suite 900
Los Angeles, California 90067-4276
Telephone: (310) 277-1010
Facsimile: (310) 203-7199

McKOOL SMITH, P.C.
Sam Baxter (State Bar No. 01938000)
Garret W. Chambers (State Bar No. 00792160)
P.O. Box O
505 E. Travis, Suite 105
Marshall, Texas 75670
Telephone: (903) 927-2111
Telecopier: (903) 927-2622

PATTON, TIDWELL & SCHROEDER, L.L.P.
Nicholas H. Patton (State Bar No. 15631000)
4605 Texas Blvd.
P.O. Box 5398
Texarkana, Texas 75505-5398
Telephone: (903) 792-7080
Facsimile: (903) 792-8233

Attorneys for Plaintiff TiVo Inc.

Respectfully submitted,

By: /s/ Scott F. Llewellyn
Scott F. Llewellyn

Harold J. McElhinny (Pro Hac Vice)
Rachel Krevans (Pro Hac Vice)
MORRISON & FOERSTER LLP
425 Market Street
San Francisco, California 94105-2482
Telephone: (415) 268-7000
Facsimile: (415) 268-7522

Scott F. Llewellyn (Pro Hac Vice)
MORRISON & FOERSTER LLP
5200 Republic Plaza
370 Seventeenth Street
Denver, Colorado 80202-5638
Telephone: (303) 592-1500
Facsimile: (303) 592-1510

Of Counsel:
Damon Young
YOUNG PICKETT & LEE
Post Office Box 1897
4122 Texas Boulevard
Texarkana, Texas 75504
Telephone: (903) 794-1303
Facsimile: (903) 792-5928

Attorneys for EchoStar Defendants

CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing document was served on all parties by electronic filing and electronic service on the 29 day of September 2009.

By: /s/ Christine Byrd
Christine Byrd